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10 **Attorneys for Defendant**
11 **DITECH FINANCIAL LLC**

12 **UNITED STATES DISTRICT COURT**
13
14 **DISTRICT OF NEVADA**

15 ROBERT D. DEY and KATHLEEN C. DEY,

16 Plaintiff,

17 v.

18 EXPERIAN INFORMATION SOLUTIONS, INC.;
19 DITECH FINANCIAL, LLC; and TRANS UNION
20 LLC,

21 Defendants.

22 CASE NO.: 2:18-cv-00502-RFB-CWH
(Consolidated with 2:18-cv-0503-APG-NJK)

23 **STIPULATION AND ORDER FOR**
24 **DISMISSAL OF ACTION WITH**
25 **PREJUDICE AS TO DEFENDANT**
26 **DITECH FINANCIAL LLC**

27 **TO THE HONORABLE COURT AND TO ALL PARTIES OF RECORD:**

28 **IT IS HEREBY STIPULATED** by and between Plaintiffs ROBERT D. DEY and
1 KATHLEEN C. DEY and Defendant, DITECH FINANCIAL, LLC, by and through their
2 undersigned counsel of record herein, as follows:

3 1. On February 25, 2019, Defendant DITECH FINANCIAL, LLC caused to be filed in
4 this present matter a Notice of Bankruptcy to inform the Court and the parties of Ditech's bankruptcy
5 cases and the automatic stay imposed by section 362 of the Bankruptcy Code. On March 5, 2019, an
6 Amended Notice of Bankruptcy was also filed.

7 2. On September 26, 2019, the Bankruptcy Court entered the Order Confirming Third
8 Amended Joint Chapter 11 Plan of Ditech Holding Corporation and Its Affiliated Debtors approving
9 the terms of the Third Amended Joint Chapter 11 Plan of Ditech Holding Corporation and Its
10 Affiliated Debtors.

11 3. The Plan contains a permanent injunction that specifically prohibits parties from,

1 among other things, taking actions inconsistent with the Plan, including, as relevant here, forever
2 prosecuting any action against Ditech for monetary recovery on account of any claim arising prior to
3 the closing of the transactions under the Plan—September 30, 2019.

4. Therefore, the above-captioned action including all claims and all causes of action
5 therein be and hereby is dismissed with prejudice as to Defendant, DITECH FINANCIAL, LLC
6 pursuant to Federal Rules of Civil Procedure, Rule 41.

7 **IT IS SO STIPULATED**

8 DATED: December 10, 2019

KNEPPER & CLARK, LLC

9 By: /s/Miles N. Clark

10 MATTHEW I. KNEPPER, ESQ.
11 MILES N. CLARK, ESQ.
12 5510 S. Fort Apache Rd, Suite 30
13 Las Vegas, Nevada 89148
Plaintiffs

14 DATED: December 10, 2019

15 WOLFE & WYMAN LLP

16 By: /s/Andrew A. Bao

17 ANDREW A. BAO, ESQ.
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19 Las Vegas, Nevada 89119
Attorneys for Defendant
20 **DITECH FINANCIAL LLC**

ORDER

For good cause, the Court hereby grants the parties' stipulation to dismiss Defendant DITECH FINANCIAL LLC with prejudice from Plaintiffs' Complaint. Each party shall bear their own fees and costs.

IT IS SO ORDERED.

DATED this 11th day of December, 2019.

RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE



CERTIFICATE OF MAILING

On December 10, 2019, I served the foregoing **STIPULATION AND ORDER FOR DISMISSAL OF ACTION WITH PREJUDICE AS TO DEFENDANT DITECH FINANCIAL LLC**, by the following means to the persons as listed below:

a. EFC System (you must attach the "Notice of Electronic Filing," or list all persons and addresses and attach additional paper if necessary):

b. United States Mail, postage fully pre-paid (List persons and addresses.)

Attach additional paper if necessary):

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/s/ Jamie Soquena

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